

AMENDMENTS TO THE DRAWINGS

The attached sheet(s) of drawings includes changes to Figures 6A and 6B. Applicant has amended the Figure to switch labels 161a and 162b with each other.

Attachment: Replacement sheets

REMARKS

Applicant thanks the Examiner for the through consideration given the present application. Claims 1-3, 7-13, 15 and 17-19 are currently being prosecuted. The Examiner is respectfully requested to reconsider his rejections in view of the amendments and remarks as set forth below.

Title

The Examiner required a title which is more descriptive of the invention. By way of the present Amendment, Applicant has suggested a new title.

Drawings

The Examiner objected to the drawings and noted that the reference characters 161a and 162a in Figures 6A and 6B are reversed. By way of the present Amendment, Applicant is submitting substitute drawings with the correct labels. Accordingly, this objection is overcome.

Rejections Under 35 USC 103

Claims 1-6, 8-10 and 12-18 stand rejected under 35 USC 103 as being obvious Hayashi (US Patent 6,930,725) in view of Nakamura et al. (US Patent 6,064,746). This rejection is respectfully traversed.

The Examiner states that Hayashi shows an audio/video combo device having a housing shell 22 and a portable electronic data processing device 1 with a picture taking element 101. The Examiner admits that Hayashi does not show a sound generating element in the housing shell. The Examiner relies on Nakamura et al. to teach a sound generating element 16a located in a housing shell 12 which functions as a resonant space for the sound generating element. Nakamura et al. also teaches a first cap 28a and a second cap 28b having first and second audio exit ports 30a and 30b. The Examiner feels that it would have been obvious to modify Hayashi by including the sound generating elements taught by Nakamura et al.

Applicant submits that the claims as presently amended are not obvious over these two references. Claim 1 has now been amended to include the description of the housing shell as

being a hollow cylindrical member with an open end and a closed end, the closed end having an axle and the open end being coupled with a cap which has a cap axle so that the housing shell is turnable through the axle and cap axle. Applicants note that the Nakamura et al. reference does not include axles connected to the two caps. Hayashi includes a shaft 112a which projects from the casing 112, and allows the casing to rotate by means of a bearing 123. However, this reference does not show a cap having an axle nor an axle being formed on a closed end of a hollow cylindrical member. Thus, even if Hayashi and Nakamura et al. are combined, there is still no teaching of an axle at one end connected to a closed end of the housing shell and a cap with a cap axle formed on the other end. Applicant submits that in view of this new language, claim 1 is allowable over this combination of references.

Similarly, claim 12 has been amended to describe the two caps with the first cap having an axle and an audio exit port formed thereon and where the axle is pivotably coupled to one side of the electronic device. The second cap is described as having another axle and a second audio exit port where the axle is coupled on another side of the electronic device. Applicant submits that neither Hayashi nor Nakamura et al. nor their combination teach the concept of two caps each with an axle formed thereon. Accordingly, Applicant submit that this claim is likewise allowable over this combination of references.

Claims 2, 3, 7-11, 13, 15 and 17-19 depend from these allowable independent claims and as such are also considered to be allowable. In addition, each of these claims recite other features that make them additionally allowable.

Claim 7 stands rejected under 35 USC 103 as being obvious over Hayashi in view of Nakamura et al. and further in view of Fingleton (US Patent 6,859,543). Claims 11 and 19 stand rejected under 35 USC 103 as being obvious over Hayashi in view of Nakamura et al. and further in view of Gibbler et al. (US Patent 5,291,541). These rejections are respectfully traversed. The Examiner relies on the secondary references to teach the features of dependent claims. Thus, Fingleton decided to show an audio exit port located on the perimeter surface of the housing shell. Likewise, Gibbler is cited to show the use of a dynamic Mylar speaker. Applicant submits

that even if these references show the features of the dependent claims, these claims remain allowable based on their dependency from allowable independent claims

Conclusion

In view of the above remarks, it is believed that the claims clearly distinguish over the patents relied on by the Examiner, either alone or in combination. In view of this, reconsideration of the rejections and allowance of all the claims are respectfully requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Robert F. Gnuse Reg. No. 27,295 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: June 15, 2007

Respectfully submitted,

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Attachments